



**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Appeals Board finds that Mr. Pearson's Motion to Withdraw from further representing the claimant in this matter should be remanded to the Administrative Law Judge with instructions to hold a hearing on the motion.

The Appeals Board only has jurisdiction to review decisions, findings, orders and awards of administrative law judges as shown by a transcript of evidence and the proceedings as presented before the administrative law judge.<sup>1</sup> The Appeals Board does not have original jurisdiction to consider for the first time any matters without the stipulations of the parties. Thus, since the Administrative Law Judge did not hold a hearing on the motion, there is no transcript of proceedings for the Appeals Board to review.

**WHEREFORE**, it is the finding, decision, and order of the Appeals Board that Administrative Law Judge Bryce D. Benedict's October 27, 2000, order that denied claimant's attorney's Motion to Withdraw is remanded for the Administrative Law Judge to conduct a hearing on the motion.

**IT IS SO ORDERED.**

Dated this \_\_\_\_ day of March, 2001.

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BOARD MEMBER

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c: Edward Roberson, 2099 Osage Rd., Perry, KS 66073  
George H. Pearson, Topeka, KS  
Wade A. Dorothy, Lenexa, KS  
Bryce D. Benedict, Administrative Law Judge  
Philip S. Harness, Director

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<sup>1</sup> See K.S.A. 44-555c(a).